

PROB 12C
(7/93)

Report Date: November 8, 2011

United States District Court

**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

for the

NOV 09 2011

Eastern District of Washington

**JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON**

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Francisco Samaniego

Case Number: 2:09CR02068-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, U.S. District Judge

Date of Original Sentence: 3/3/2010

Original Offense: Possession of a Firearm and Ammunition by a Prohibited Person,
18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 24 Months;
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: James Goeke

Date Supervision Commenced: 4/8/2011

Defense Attorney: Rick Lee Hoffman

Date Supervision Expires: 4/7/2014

PETITIONING THE COURT

To issue a warrant and to incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on August 3, and 10, 2011.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

8 **Special Condition # 17:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Mr. Samaniego failed to attend his scheduled drug and alcohol assessment at Merit Resource Services (Merit) on October 28, 2011.

On November 3, 2011, contact was made with staff at Merit who advised Mr. Samaniego failed to attend his scheduled drug and alcohol assessment on October 28, 2011. It was also reported he had yet to contact them regarding rescheduling the appointment. Mr. Samaniego was confronted regarding his failure to attend his appointment to which he stated he missed his appointment because he overslept.

Prob12C

Re: Samaniego, Francisco

November 8, 2011

Page 2

9

Special Condition # 18: You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Samaniego consumed methamphetamine on October 31, 2011.

On November 4, 2011, Mr. Samaniego submitted a presumptive positive drug test for methamphetamine. When confronted regarding his illegal drug use, he reported that on October 31, 2011, he and his wife got into argument. The defendant indicated he then went to a friend's house and used methamphetamine. Mr. Samaniego was also confronted regarding the urine specimen he provided which was diluted. The defendant initially denied diluting the specimen, but later admitted to purchasing a product from a store to flush his system.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/08/2011

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other


Signature of Judicial Officer

11/9/11
Date